

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CHRISTOPHER C. BITTNER and
CAROL BITTNER,

Plaintiffs

v.

FRANK WILLIAMS, THEODORE A.
SAULNIER, in his capacity as CHIEF OF THE
TISBURY POLICE DEPARTMENT, and
THE TOWN OF TISBURY,

Defendants

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* C.A. NO. 04-11417-RCL
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JOINT STATEMENT

Pursuant to the Court's Notice of Scheduling Conference and Rule 16.1(D) of the Local Rules of the United States District Court for the District of Massachusetts, counsel for the above named parties have conferred and state as follows:

1. JOINT DISCOVERY PLAN AND MOTION SCHEDULE:

The parties propose the following pre-trial schedule:

- (a) Automatic document disclosure to be completed on or before October 30, 2004;
- (b) Written discovery requests are to be served by November 30, 2004, and

answers/responses are to be filed within the time provided by the rules;

- (c) All depositions are to be completed by February 29, 2005, except for expert witnesses;

- (d) The plaintiff's expert witnesses shall be designated by April 30, 2005 and plaintiff's expert witness report submitted by May 30, 2005. Defendants' expert witnesses shall be designated by June 30, 2005 and defendants' expert witness report submitted by July 30, 2005. Should plaintiff designate a medical expert, defendants shall have thirty (30) days thereafter to file a motion to conduct a Rule 35 medical examination;

(e) All dispositive motions are to be filed by August 30, 2005, and responses are to be filed thirty (30) days thereafter pursuant to Local Rule 7.1;

(f) A final pre-trial conference will be held per order of the Court.

2. The parties will not need more than ten (10) depositions.

3. Certifications regarding each party's consultation with counsel regarding budgets and alternative dispute resolution will be filed separately.

4. The parties are not willing to have this matter referred to a magistrate.

Defendant Frank Williams,
by his counsel,

Respectfully submitted,
Christopher Bittner
by his counsel,

/s/ Regina M. Ryan
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Defendants Town of Tisbury and
Theodore Saulnier,
by their counsel,

/s/ Joseph L. Tehan, Jr.
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Date: October 26, 2004
bittner\jointstatement